



PTO/SB/21 (07-06)

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

5

Application Number

10/733,928

Filing Date

December 10, 2003

First Named Inventor

Yamamoto, Tomoo

Art Unit

1773

Examiner Name

Holly C. Rickman

Attorney Docket Number

16869G-100000US

**ENCLOSURES (Check all that apply)**☐

Fee Transmittal Form

☐

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐

Reply to Missing Parts/ Incomplete Application

☐

Reply to Missing Parts under 37 CFR 1.52 or 1.53

☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐

Petition to Convert to a Provisional Application

☐

Power of Attorney, Revocation Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) \_\_\_\_\_

☐

Landscape Table on CD

☐

After Allowance Communication to TC

☐

Appeal Communication to Board of Appeals and Interferences

☒

Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)

☐

Proprietary Information

☐

Status Letter

☒

Other Enclosure(s) (please identify below):

Return Postcard

Communication Regarding Delay in Mailing of Notice of Allowance

Remarks

The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Townsend and Townsend and Crew LLP

Signature

Printed name

Chun-Pok Leung

Date

September 7, 2006

Reg. No.

41,405

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: **Mail Stop AF**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature

Typed or printed name

Joy Salvador

Date

September 7, 2006

AF\$  
TR**NOTICE OF APPEAL FROM THE EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)

**16869G-100000US**In re Application of: **Tomoo YAMAMOTO et al.**Application Number: **10/733,928**Filed: **December 10, 2003**For: **MAGNETIC RECORDING MEDIUM**Art Unit: **1773**Examiner: **Holly C. Rickman**Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ **500.00**

- ☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ \_\_\_\_\_
- ☐ A check in the amount of the fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **20-1430**. I have enclosed a duplicate copy of this sheet.
- ☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

- ☐ applicant/inventor.
- ☐ assignee of record of the entire interest.  
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96)
- ☐ attorney or agent of record.  
Registration number \_\_\_\_\_
- ☒ attorney or agent acting under 37 CFR 1.34.  
Registration number if acting under 37 CFR 1.34. **41,405**

Signature

**Chun-Pok Leung**

Typed or printed name

**650-326-2400**

Telephone number

**September 7, 2006**

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☒ \*Total of **2** forms are submitted.

60863485 v1

09/12/2006 DENMANU1 00000068 201430 10733928

01 FC:1401

500.00 DA



PATENT  
Attorney Docket No.: 16869G-100000US  
Client Ref. No.: 340300325US01

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Tomoo YAMAMOTO *et al.*

Application No.: 10/733,928

Filed: December 10, 2003

For: MAGNETIC RECORDING  
MEDIUM

Customer No.: 20350

Confirmation No.: 8608

Examiner: Holly C. Rickman

Technology Center/Art Unit: 1773

**COMMUNICATION REGARDING  
DELAY IN MAILING OF NOTICE OF  
ALLOWANCE**

---

**Mail Stop AF**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

The above-referenced application has been allowed, but the notice of allowance has not been mailed. The six-month statutory period ends on September 7, 2006. To avoid possible abandonment of the application, Applicants submit herewith a Notice of Appeal. Because the Amendment After Final was filed on May 1, 2006, within two months of the mailing date of the Final Office Action of March 7, 2006, no extension fee is believed to be due. However, please charge any fees or credit overpayment to the undersigned's Deposit Account No. 20-1430.

Appl. No. 10/733,928  
Amdt. dated September 6, 2006  
Amendment under 37 CFR 1.116 Expedited Procedure  
Examining Group 1773

PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,



Chun-Pok Leung  
Reg. No. 41,405

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 650-326-2400  
Fax: 415-576-0300  
RL:rl  
60863444 v1